



National Aeronautics and
Space Administration

Principal Center for Regulatory Risk Analysis and Communication

Regulatory Tracking Summary

21 March 2008

This report summarizes regulatory items reviewed by the NASA RRAC PC. Items that appeared to have limited interest to the NASA community, or are provided for information only, are shown in light gray text. Notes and comments by the RRAC PC are shown in bold, blue text under "Description." Related documents and citations, such as "71 FR 51967," are linked to the appropriate document for quick access. Suggested follow-up actions are noted with significant items; users are advised that other follow-up actions may be appropriate for their program or facility.

Previous issues of this regulatory summary are archived on the RRAC PC website at <http://www.rracpc.org>. Comments, questions, suggestions, and requests for further information should be directed to the RRAC PC Lead, Sharon Scroggins/MSFC at 256-544-7932 (sharon.scroggins@nasa.gov).

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Acronyms

ADEM = Alabama Department of Environmental Management
ANPRM = Advance Notice of Proposed Rulemaking
CAA = Clean Air Act
CAAWG = Clean Air Act Working Group
CAS = Chemical Abstract Service
CCR = *California Code of Regulations*
CFR = *Code of Federal Regulations*
COFR = Certificate of Financial Responsibility
COMAR = *Code of Maryland Regulations*
CRNR = *California Regulatory Notice Register*
CWA = Clean Water Act
DOE = U.S. Department of Energy
DTSC = Department of Toxic Substances Control
EPA = U.S. Environmental Protection Agency
EU = European Union
F.A.C. = Florida Administrative Code
FAW = *Florida Administrative Weekly*
FAWN = Florida Automated Weather Network
FDEP = Florida Department of Environmental Protection
FR = *Federal Register*
FY = Fiscal Year
GSE = Ground support equipment
HAP = Hazardous air pollutant
HCFC = Hydrochlorofluorocarbon
HTML = HyperText Markup Language
IDM = Integrated Data Management
LAC = Louisiana Administrative Code
 $\mu\text{g}/\text{m}^3$ = Micrograms per cubic meters
MSFC = Marshall Space Flight Center
NAAQS = National Ambient Air Quality Standards
NASA = National Aeronautics and Space Administration
NESHAP = National Emission Standards for Hazardous Air Pollutants

NPRM = Notice of Proposed Rulemaking
OEHHA = Office of Environmental Health Hazard Assessment
OEPA = Ohio Environmental Protection Agency
OSHA = Occupational Safety and Health Administration
OSPR = Office of Spill Prevention and Response
OSRO = Oil Spill Response Organizations
PEL = Permissible exposure limit
PFAC = Perfluoroalkyl carboxylates
PFAS = Perfluoroalkyl sulfonates
PM = Particulate matter
ppm = Parts per million
REACH = Registration, Evaluation, Authorization and Restriction of Chemicals
RIN = Regulatory Identification Number
RRAC PC = Principal Center for Regulatory Risk Analysis and Communication
SCAQMD = South Coast Air Quality Management District
SIP = State implementation plan
SJRWMD = St. John's River Water Management District
SNUR = Significant New Use Rule
 SO_2 = Sulfur dioxide
SRF = State Revolving Fund
SWRCB = State Water Resources Control Board
TAC = Texas Administrative Code
TCEQ = Texas Commission on Environmental Quality
TexReg = *Texas Register*
U.S. = United States
UST = Underground storage tank
Va.R. = *Virginia Register*
VAC = Virginia Administrative Code
VDEQ = Virginia Department of Environmental Quality
VOC = Volatile organic compound

1.0 U.S. Federal Regulatory Review

1.1 Federal Register Summary

This summary includes FR items that were reviewed for potential impacts to NASA Centers and Programs.

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
Fed032108-1	Anti-Terrorism Standards Chemical Security	03/21/2008	73 FR 15051	Clarification	Department of Homeland Security Clarification to Chemical Facility Anti-Terrorism Standards; Propane [6 CFR Part 27] Provides clarification about how certain provisions of the Chemical Facility Anti-Terrorism Standards apply to propane. Defines what is meant by the Chemical of Interest propane (at least 87.5% propane), as opposed to other products containing propane. Clarifies how the Screening Threshold Quantity and certain counting rule provisions apply. Effective 03/21/2008 [RIN 1601-AA41].	
Fed032108-2	CAA NAAQS–Carbon Monoxide	03/11/2008	73 FR 12998	Notice	Science Advisory Board Staff Office; Clean Air Scientific Advisory Committee Notification of a Public Teleconference of the Carbon Monoxide NAAQS Review Panel Announces a public teleconference scheduled for 04/08/2008 to conduct a consultation on the Draft Integrated Plan for Review of the Primary National Ambient Air Quality Standards for Carbon Monoxide .	
Fed032108-3	CAA NAAQS–Ozone	03/11/2008	73 FR 12998	Notice	Science Advisory Board Staff Office; Clean Air Scientific Advisory Committee Notification of a Public Teleconference of the Ozone NAAQS Review Panel Announces a public teleconference of the Clean Air Scientific Advisory Committee Ozone Review Panel to hold follow-on discussions concerning the Final Rule for the NAAQS for ozone. Written statements due 03/25/2008.	
Fed032108-4	CAA NESHAP–Plating and Polishing Area Sources	03/14/2008	73 FR 14125	Proposed Rule	National Emission Standards for Hazardous Air Pollutants: Area Source Standards for Plating and Polishing Operations [40 CFR Part 63] Proposes HAP emission standards for the plating and polishing area source category. Includes management practices for new and existing tanks, thermal spraying equipment, and mechanical polishing equipment in certain plating and polishing processes. Comments due 04/18/2008 unless a public hearing is requested by 03/24/2008, in which case the comment period will be extended to 04/28/2008. This rule does not cover chromium electroplating or chromium anodizing sources, which are regulated separately. Chromium conversion coating operations at area sources are covered. The RRAC PC is developing a regulatory alert on this proposal. Further information will be available on the website.	NASA Programs should be aware of these proposed area source rules and review for potential supply chain impacts.
Fed032108-5	CAA PM2.5 Ambient Air Monitoring	03/12/2008	73 FR 13224	Notice	Office of Research and Development; Ambient Air Monitoring Reference and Equivalent Methods: Designation of One New Equivalent Method Notice of a new equivalent method designated for measuring ambient air PM2.5 concentrations.	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
Fed032108-6	Carcinogens Captafol and Ortho-nitrotoluene	03/10/2008	73 FR 12736	Notice	<p>National Institute of Environmental Health Sciences National Toxicology Program; Report on Carcinogens; Request for Public Comments on Expert Panel's Recommendations on Listing Status for Captafol and Ortho-nitrotoluene in the 12th Report on Carcinogens and the Scientific Justifications for the Recommendations</p> <p>Invites public comment about the recommendations from an expert panel on the listing status for captafol and ortho-nitrotoluene in the 12th Report on Carcinogens and the scientific justification for the recommendations. Comments due 04/24/2008.</p> <p>Captafol is a fungicide. O-nitrotoluene is a chemical intermediate used in the synthesis of dyes that are used in the textile, paper, and other industries and also in the synthesis of agricultural, rubber, and other chemicals. The Expert Panel is proposing to list o-nitrotoluene as "reasonably anticipated to be a human carcinogen." The associated increased regulatory burden has the potential to trigger a reformulation of materials to exclude its use.</p>	NASA Programs should be aware that o-nitrotoluene, a chemical intermediate, may soon be considered a carcinogen.
Fed032108-7	Climate Change	03/18/2008	73 FR 14457	Notice	<p>National Oceanic and Atmospheric Administration</p> <p>U.S. Climate Change Science Program Synthesis and Assessment Product Draft Report 5.3, "Decision Support Experiments and Evaluations Using Seasonal to Interannual Forecasts and Observational Data"</p> <p>Announces a public comment period for the draft report titled, U.S. Climate Change Science Program Synthesis and Assessment Product 5.3, "Decision support experiments and evaluations using seasonal to interannual forecasts and observational data." Comments due 05/02/2008 [RIN 0648-XG30].</p>	
Fed032108-8	Climate Change	03/18/2008	73 FR 14457	Notice	<p>National Oceanic and Atmospheric Administration</p> <p>U.S. Climate Change Science Program Synthesis and Assessment Product Draft Report 2.4, "Trends in Emissions of Ozone Depleting Substances, Ozone Layer Recovery, and Implications for Ultraviolet Radiation Exposure."</p> <p>Announces a public comment period for the draft report titled, U.S. Climate Change Science Program Synthesis and Assessment Product 2.4, "Trends in Emissions of Ozone Depleting Substances, Ozone Layer Recovery, and Implications for Ultraviolet Radiation Exposure." Comments due 05/02/2008 [RIN 0648-XG31].</p>	
Fed032108-9	CWA	03/11/2008	73 FR 12999	Notice	<p>Science Advisory Board Staff Office; Notification of a Public Teleconference and Face-to-Face Meeting of the Drinking Water Committee</p> <p>Announces two meetings of the Science Advisory Board Drinking Water Committee: A public teleconference to discuss the Waterborne Diseases--Measures to Link Drinking Water Programs to Public Health Outcomes and a face-to-face meeting to review the Drinking Water Contaminant Candidate List 3 Draft document (73 FR 9627, 02/21/2008). Teleconference scheduled for 04/02/2008. Meeting scheduled for 04/23/2008 to 04/24/2008.</p>	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
Fed032108-10	Energy Conservation Fluorescent and Incandescent Reflector Lamps	03/13/2008	73 FR 13619	Notice	Office of Energy Efficiency and Renewable Energy Energy Conservation Program: Energy Conservation Standards for General Service Fluorescent Lamps and Incandescent Reflector Lamps [10 CFR Part 430] Notice that DOE is considering revising the existing energy conservation standards for general service fluorescent lamps and incandescent reflector lamps, and whether standards should apply to additional general service fluorescent lamps. Various amendments to lighting-related definitions also are under consideration. Comments due 04/18/2008 [RIN 1904-AA92].	
Fed032108-11	OSHA	03/14/2008	73 FR 13753	Final Rule	OSHA Updating OSHA Standards Based on National Consensus Standards [29 CFR Part 1910] Confirms the effective date of the direct final rule (72 FR 71061 , 12/14/2007) that revises a number of standards for general industry that refer to national consensus standards. Because no adverse comments were received by 01/14/2008, the rule is effective 03/13/2008 [RIN 1218-AC08].	

1.2 Status of Continuing Actions in Progress

This section provides the status of selected actions the RRAC PC currently is tracking for possible program-related impacts. Questions about any of these actions or suggestions for additions to this list should be directed to Sharon Scroggins/MSFC.

Significant Dates		Subject Action [RIN]	Type of Action	Comments
NPRM	05/2008	NESHAP: Defense Land Systems and Miscellaneous Equipment [2060-AM84]	Pre-rule	Possible impact to Ground Operations.
Final Action	05/2009			Will cover surface cleaning, preparation, coating, and stripping operations on non-flight hardware at some NASA facilities. Could affect launch pads and GSE.
ANPRM	03/29/2007	NESHAP: Risk and Technology Review, Phase II [2060-AN85]	Pre-rule	Possible space vehicle operational or materials impacts.
NPRM	11/2007			Evaluation of residual risk remaining after the implementation of numerous NESHAPs, including those regulating the Aerospace and Chrome Electroplating source categories. This rulemaking represents a relatively low risk of EPA imposing limits on HAP and VOC levels contained in coatings, cleaning solvents, and other materials used on flight hardware. Potential further restrictions on the chrome electroplating or other source categories also could affect vendor facilities.
Final Action	11/2008			
NPRM	07/16/2007	National VOC Rule for Aerosol Coatings [2060-AN69]	Final Rule	Possible space vehicle materials impacts.
Final Action	03/24/2008			The rule would impose limits on VOC content for aerosol coatings. The limits would apply to coating manufacturers, and could be a driver for formulation changes to reduce VOC content.
Amendments Direct Final Rule	03/24/2008			
Comments due (amendments only)	04/23/2008			

Significant Dates		Subject Action [RIN]	Type of Action	Comments
NPRM	01/03/2007	72 FR 69 NESHAP General Provisions—Once In, Always In [2060-AM75]	Proposed Rule	Possible impacts to facilities, including space flight support facilities.
Final Action	12/2007			Could have an effect on how NESHAPs affect certain NASA Centers and vendor facilities.
NPRM	05/2008	HCFC Labeling [2060-AO68]	Pre-rule	Administrative requirement for certain space vehicle materials.
Final Action	05/2009			Would require containers of materials containing HCFCs to bear warning statements.
NPRM	02/2008	Area Sources: Metal Fabrication and Finishing [2060-AO27]	Pre-rule	Possible space vehicle materials or supply chain impacts
Final Action	06/2008			Will set air emissions reduction requirements, possibly including usage limitations, for area sources of HAPs in nine source categories: 1) Electrical and Electronic Equipment Finishing Operations; 2) Fabricated Metal Products; 3) Fabricated Plate Work (Boiler Shops); 4) Fabricated Structural Metal Manufacturing; 5) Heating Equipment, except Electric; 6) Industrial Machinery and Equipment: Finishing Operations; 7) Iron and Steel Forging; 8) Primary Metal Products Manufacturing; and 9) Valves and Pipe Fittings. The rule is expected to target emissions of cadmium, chromium, manganese, nickel, and lead in abrasive blasting, welding, painting, plating, machining, and grinding operations.
NPRM	03/14/2008	Area Sources: Plating and Polishing [2060-AM37]	Proposed Rule	Possible space vehicle materials or supply chain impacts.
Comments Due	04/14/2008			Proposes air emissions reduction requirements for area sources of HAPs in the plating and polishing industry. Does not cover chromium electroplating or chromium anodizing; does cover chromium conversion coating operations at area sources.
Final Action	06/2008			
NPRM	03/07/2006	SNUR: Perfluorinated Polymers [2070-AD58]	Proposed Rule	Possible space vehicle materials impacts.
Final Action	04/2008			Rule could limit new U.S. production of any new materials or significant uses of perfluorinated polymers including those containing PFASs; PFACs; fluorotelomers; or perfluoroalkyl moieties that are covalently bound to a carbon or a sulfur atom where the carbon or sulfur atom is an integral part of the polymer molecule.

1.3 Significant News and Other Developments

1.3.1 EPA Finalizes National Ambient Air Quality Standard for Ozone

EPA is finalizing revisions to the primary and secondary NAAQS for ground-level ozone. The purpose of the primary standard is to provide protection for children and other “at risk” populations. In the revised primary standard, EPA has reduced the 8-hour ozone standard from 0.08 ppm to 0.075 ppm. The final rule becomes effective 60 days after it is published in the FR, which is anticipated to occur in March 2008. Changes to the primary standard may result in additional counties being designated as nonattainment areas for ozone. NASA Centers, contractors, and vendor facilities located in such counties may become subject to additional emission control requirements, more stringent permitting requirements, and requirements to perform conformity analyses. The RRAC PC issued a regulatory alert on this rulemaking, which is available on the [RRAC PC website](#).

1.3.2 OSHA Directive on Chromium VI Inspection Procedures

OSHA issued [Directive CPL 02-02-074](#) on 24 January 2008 to provide guidelines and establish uniform inspection and compliance procedures for the occupational exposure standards for hexavalent chromium that went into effect 30 May 2006. The standards lowered the PEL to 5 µg/m³ and established an action level of 2.5 µg/m³.

Employers with 20 or more employees were allowed 6 months, until a startup date of 27 November 2006, to comply with most of the provisions of the standards. Employers with 19 or fewer employees were allowed 12 months, until a startup date of 30 May 2007, to come into compliance with most of the provisions. All employers are allowed 4 years from the effective date, with a deadline of 31 May 2010, to install feasible engineering controls. This new Directive provides policy and guidance for enforcement of all the standards. Special policies also are provided for enforcement until the 31 May 2010 deadline, when employers must comply with the requirements for feasible engineering and work practice controls.

1.3.3 European Union to Propose Restrictions on Paint Strippers

On 14 February 2008, the EU issued a proposal under its REACH directive to restrict the sale and use of paint strippers containing methylene chloride. If approved, the amendment would require a ban on the marketing and use of paint strippers containing methylene chloride. Additional information is available on the European Commission's [website](#).

1.3.4 EPA Issues Proposed Emission Standards for Metal Plating and Polishing

On 14 March 2008, EPA issued a proposed NESHAP for plating and polishing operations at area sources of HAPs ([73 FR 14126](#)). The proposed rule would require area sources to implement management practices, such as using fume suppressants in electroplating tanks and minimizing agitation in tanks, and to comply with reporting requirements. The rule would not apply to chromium electroplating or chromium anodizing sources, which are regulated under a separate rule. EPA is proposing to exempt area sources in the plating and polishing operations industry from Title V permitting requirements, except where an affected facility is required to obtain a Title V permit for reasons other than being subject to the proposed rule. The RRAC PC is preparing a regulatory alert with additional details about this proposed rule, which will be available on the [RRAC PC website](#).

1.4 Clean Air Act Working Group Updates

1.4.1 Clean Air Act Working Group Telecons for 2008

The CAAWG will hold telecons on the following Wednesdays in 2008 at 2 p.m. ET, 1 p.m. CT, 12 p.m. MT, and 11 a.m. PT:

- 16 April
- 21 May
- 18 June
- 16 July
- 20 August
- 19 November

2.0 State Regulatory Reviews

The following sections provide details of the regulatory actions reviewed for selected states in which NASA facilities and related operations are located.

2.1 Alabama State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Alabama.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
AL032108-1	Air SIP	03/09/2008	ADEM Website	Proposed Rule	Alabama Department of Environmental Management (ADEM)–State Implementation Plan (SIP) Proposes to amend the Alabama SIP to address regional haze issues in Alabama. The CAA requires states to develop implementation plans that address regional haze near Class I areas. The plan should address making "reasonable progress" toward establishing measures to prevent future and to remedy any existing impairment of visibility in mandatory federal Class I areas in which impairment results from manmade air pollution. Interested persons may request a public hearing and comment on the proposed revisions to the draft SIP . Hearing requests are due to ADEM on 04/08/2008. If ADEM receives a request for a hearing, it will be held 04/23/2008 at ADEM Headquarters, Montgomery, Alabama.	

2.2 California State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in California. Citations of the [CRNR](#) are linked to the appropriate volume of the Register, which is published in Adobe Acrobat (.pdf) file format.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA032108-1	Air Motor Vehicles	03/14/2008	CRNR 2008. 11z, p. 385	Notice	Air Resource Board Diesel-fueled Motor Vehicle Idling [13 CCR 2485] Change without regulatory effect to make consistent with Health and Safety Code Section 43704.	
CA032108-2	Air SIP - San Joaquin Valley	03/19/2008	73 FR 14687	Final Rule	U.S. Environmental Protection Agency Approval and Promulgation of Implementation Plans; Designation of Areas for Air Quality Planning Purposes; State of California; PM-10; Affirmation of Determination of Attainment for the San Joaquin Valley Nonattainment Area [40 CFR Parts 52 and 81] Finalizes determination that the San Joaquin Valley nonattainment area has attained the NAAQS for PM with an aerodynamic diameter less than or equal to a nominal 10 micrometers (PM-10). Effective 04/18/2008.	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA032108-3	Air SIP - South Coast Air Quality Management District	03/10/2008	73 FR 12639	Final Rule	U.S. Environmental Protection Agency Revisions to the California State Implementation Plan, South Coast Air Quality Management District [40 CFR Part 52] Finalizes approval of revisions to the SCAQMD portion of the California SIP. These revisions, proposed 11/20/2007 [72 FR 65285] , concern PM emissions from fugitive dust sources and cement manufacturing plants. Effective 04/09/2008.	
CA032108-4	Brownfields CAL ReUSE	03/14/2008	CRNR 2008. 11z. p. 385	Notice	California Pollution Control Financing Authority CAL ReUse Program [4 CCR 8090, 8091, 8092, 8093, 8094, 8095, 8096, 8097, 8098, 8099, 8100, 8101, 8102, 8102.1, 8102.2, 8102.3, 8102.4, 8102.5, 8102.6, 8102.7, 8102.8, 8102.9, 8102.10, 8102.11, 8102.12, 8102.13, 8102.14, and 8102.15] These amendments modify and expand the existing CAL ReUSE Program . Effective 02/29/2008.	
CA032108-5	Endangered Species Blunt-nosed Leopard Lizard	03/14/2008	CRNR 2008. 11z. p. 380	Notice	Department of Fish and Game Study of Blunt-Nosed Leopard Lizard Genetics A proposal was received on 02/01/2008 to conduct field studies on the hybrid zone of blunt-nosed leopard lizard (<i>Gambelia wislizenii</i>), a Fully Protected reptile, for research purposes, consistent with the protection and recovery of the species. The proposed work is intended to: 1) evaluate the hybrid zone of <i>Gambelia wislizenii</i> and its management implications; 2) to reassess the hybrid zone of <i>Gambelia wislizenii</i> and <i>Gambelia wislizenii</i> using modern genetic techniques; and 3) map the area of extent of hybrid lizards with respect to true <i>G. sila</i> .	
CA032108-6	Endangered Species Blunt-nosed Leopard Lizard	03/14/2008	CRNR 2008. 11z. p. 380	Notice	Department of Fish and Game Study of Ecology of Blunt-Nosed Leopard Lizard A proposal was received on 02/20/2008 to conduct field studies on the blunt-nosed leopard lizard (<i>Gambelia sila</i>), a Fully Protected reptile, for research purposes, consistent with the protection and recovery of the species. The proposed study is intended to: 1) investigate feeding habits of blunt-nosed leopard lizard; 2) estimate prey variation and densities at study sites; and 3) analyze scat contents to determine if there is a relationship between prey abundance and predation. This analysis of active selection or opportunistic feeding will add to the base of knowledge and further conservation and recovery plans.	
CA032108-7	Endangered Species Longfin Smelt	03/14/2008	CRNR 2008. 11z. p. 387	Notice	Fish and Game Commission Incidental Take of Longfin Smelt During Candidacy [14 CCR 749.3] These emergency regulations permit research, monitoring, dredging, and extraction activities currently being undertaken to continue during the candidacy of the Longfin Smelt for listing as threatened or endangered for purposes of the California Endangered Species Act. The emergency regulations also allow local water diversions to continue, as well as the State Water Project and federal Central Valley Project Export Facilities, to continue in operation without fear of prosecution for take of longfin smelt during candidacy. Effective 02/29/2008.	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA032108-8	Hazardous Waste	03/21/2008	CRNR 2008.12z p.406	Notice	Department of Toxic Substances Control Notice of Intent to Recertify Hazardous Waste Environmental Technology The Department intends to recertify the SCIGEN NEUTRALEX technology for treating aqueous formaldehyde in 10% neutral buffered Formalin waste resulting from histopathology tissue specimen preservation and automated processor activities. Comments due within 30 days.	
CA032108-9	Oil Spills	03/14/2008	CRNR 2008.11z p.364	Proposed Rule	Office of Spill Prevention and Response , Department of Fish and Game Certificates of Financial Responsibility [14 CCR 791, 791.7, and 795] Proposed rule would revise existing regulations as follow: <ul style="list-style-type: none"> Remove redundant definitions. Add the regulatory citations for "reasonable worst-case spill." Change the address for application submission. Add further instruction upon certification revocation. Clarify the application renewal timeframes and conditions under which a new certificate is required. Clarify what is considered acceptable insurance. Update regulatory sections and form numbers. Amend the COFR Applications by simplifying the form content, clarifying the information requested, and updating addresses. Amend the Guarantee of Financial Responsibility form to include reference to the Department and OSPR in its heading. Amend the Endorsements to make the termination and cancellation timeframes consistent with industry standards. Further information is available on the rulemaking website . Comments due 04/29/2008.	
CA032108-10	Oil Spills	03/14/2008	CRNR 2008.11z p.366	Proposed Rule	Office of Spill Prevention and Response , Department of Fish and Game Contingency Plans [14 CCR 815.05, 818.02, 825.05, and 827.02] Proposes to allow OSROs to get the proper advance notification to temporarily stage manpower and equipment to meet the new regulatory requirements in non-High Volume Port areas. Also adds requirements for additional information from tank vessel and non-tank vessel owners and operators related to OSPR's recently completed contingency plan database. Further information is available on the rulemaking website . Comments due 04/29/2008.	
CA032108-11	Proposition 65 Bisphenol A	03/21/2008	CRNR 2008.12z p.427	Notice Extension of Public Comment Period	Office of Environmental Health Hazard Assessment Announcement of Chemicals Selected by OEHA for Consideration for Listing by the Developmental and Reproductive Toxicant Identification Committee and Request for Relevant Information on the Developmental and Reproductive Toxicity of These Chemicals Extends the comment period for bisphenol A to allow for the submittal of complete and relevant scientific information. Comments due 04/17/2008 at 5 p.m.	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA032108-12	Proposition 65 Chemical List Correction	03/21/2008	CRNR 2008, 12z, p. 425	Notice	Office of Environmental Health Hazard Assessment Correction to the listing of the chemicals acifluorfen and ganciclovir sodium known to the state to cause cancer and reproductive toxicity Corrects the listings of the chemicals acifluorfen, acifluorfen sodium (CAS No. 62476-59-9), ganciclovir (CAS No. 82410-32-0), and ganciclovir sodium (CAS No. 107910-75-8).	
CA032108-13	Proposition 65 Chemical List Revision	03/21/2008	CRNR 2008, 12z, p. 408	Notice	Office of Environmental Health Hazard Assessment Chemicals Known to the State to Cause Cancer or Reproductive Toxicity Revises and republishes, required at least annually, the list of chemicals known to the State of California to cause cancer or reproductive toxicity.	
CA032108-14	Proposition 65 Vitamins and Minerals	03/21/2008	CRNR 2008, 12z, p. 426	Notice Public Workshop	Office of Environmental Health Hazard Assessment Regulatory Update Project Beneficial Nutrients Regulatory Concept Requests input from stakeholders concerning certain chemicals or compounds such as vitamins and minerals that are necessary to promote human health or to ensure the healthy growth of food crops. Excessive exposures to these same chemicals or compounds can cause cancer or adverse reproductive effects. OEHHA is seeking a way to balance the need for these nutrients with the necessity for providing Proposition 65 warnings for exposures to listed chemicals in foods. Draft regulatory language that addresses this issue is posted on OEHHA's rulemaking website . Comments due 05/02/2008. The public workshop is scheduled for 04/18/2008 at the CalEPA Headquarters Building in Sacramento, California.	
CA032108-15	Safety	03/14/2008	CRNR 2008, 11z, p. 387	Final Rule	Occupational Safety and Health Standards Board Safe Access to Elevated Locations [8 CCR 3270] Clarifies the required means-of-access requirements for safe access to permanent elevated work locations and clarifies that the subject requirements apply to all permanent elevated work locations and not just to those where a limited number of specified work activities take place. Effective 03/30/2008.	
CA032108-16	Safety	03/14/2008	CRNR 2008, 11z, p. 388	Final Rule	Occupational Safety and Health Standards Board Number of Exits [8 CCR 3228] Amends existing General Industry Safety Orders by requiring a minimum of two exits for workplace locations with specified exceptions. Effective 04/04/2008.	
CA032108-17	Waste Solid Waste Permits	03/14/2008	CRNR 2008, 11z, p. 385	Notice	California Integrated Waste Management Board Temporary Waiver of Terms [14 CCR 17211.1, 17211.4, 17211.7, and 17211.9] This regulatory action amends the requirements for a stipulated agreement for a temporary waiver of specified terms and conditions of a solid waste facilities permit during temporary emergencies. Effective 03/29/2008.	
CA032108-18	Waste Solid Waste Permits	03/21/2008	CRNR 2008, 12z, p. 432	Final Rule Emergency Rulemaking	California Integrated Waste Management Board Temporary Solid Waste Facilities Permits [14 CCR 18218, 18218.1, 18218.2, 18218.3, 18218.4, 18218.5, 18218.6, 18218.7, 18218.8, 18218.9] Adopts a series of provisions to regulate previously unregulated recycling, solid waste handling, and composting activities. These emergency regulations create a temporary solid waste facility operating permit and specify the conditions for and information required of applicants who seek to operate such facilities pending receipt of permanent operating permits. Effective 03/10/2008.	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA032108-19	Water San Francisco Bay Basin Plan	03/14/2008	CRNR 2008, 11z, p. 388	Final Rule	State Water Resources Control Board Amendment to the San Francisco Bay Basin Plan [23 CCR 3919.1] The SWRCB is amending the San Francisco Bay Basin Plan to adopt new site-specific marine cyanide objectives in the San Francisco Bay and to establish a cyanide shallow water discharger effluent limitation policy, substituting an attenuation factor and allowing for dilution credits. Effective 02/28/2008.	

2.3 Florida State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Florida.

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL032108-1	Environmental Regulation Commission	03/14/2008	FAW Notice #5324153	Notice Meeting	Chapter 62–Environmental Regulation Commission A meeting to discuss rule adoptions and briefings is scheduled for 03/27/2008 at FDEP, Tallahassee, Florida.	
FL032108-2	Hazardous Waste	03/21/2008	FAW Notice #5319303	Notice Rulemaking Workshop	Chapter 62–FDEP 730–Hazardous Waste Announces a workshop to discuss a rule being developed to establish criteria for determining whether certain types of changes related to a transfer facility or a hazardous waste treatment, storage, and disposal facility that receives waste generated offsite, including federal facilities, could increase the potential offsite impact, or risk of impact, from a release at that facility. The workshop will be held 04/14/2008 at FDEP Headquarters, Tallahassee, Florida.	
FL032108-3	Water Monitoring	03/14/2008	FAW Notice #5340643	Notice Meeting	Chapter 62–Florida Water Resources Monitoring Council Announces a meeting to discuss coordinating and standardizing monitoring in Florida waters and to establish metadata standards for research and monitoring data. Meeting will be held 04/03-04/2008 at FDEP, Tallahassee, Florida.	
FL032108-4	Water Monitoring	03/14/2008	FAW Notice #5350731	Notice Meeting	Chapter 62–Florida Oceans and Coastal Council Announces a System Design Reconciliation Workshop to define the requirements for a system that will store, manage, and maintain data from environmental monitoring and research investigations in Florida. Experts will make recommendations for the IDM system in a series of workshops carried out by the Florida Water Resources Monitoring Council in support of the Florida Oceans and Coastal Council's IDM program. This workshop will be held 04/01-02/2008 at FDEP, Tallahassee, Florida.	
FL032108-5	Water Permits	03/13/2008	FAW Notice #5423384	Final Rule	Chapter 62–FDEP 4–Permits 241–Whole Effluent Toxicity Compliance Limits Amendments specify whole effluent acute and chronic toxicity compliance limits for facilities subject to whole effluent toxicity testing. Effective 04/02/2008.	
FL032108-6	Water Permits	03/13/2008	FAW Notice #5423481	Final Rule	Chapter 62–FDEP 302–Surface Water Quality Standards 200–Definitions Revises the definitions of <i>acute and chronic toxicity</i> and adds the definition of <i>Inhibition Concentration 25 percent</i> . Effective 04/02/2008.	

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL032108-7	Water Permits	03/13/2008	FAW Notice #5423578	Final Rule	Chapter 62–FDEP 620–Wastewater Facility and Activities Permitting 620–Guidelines for Establishing Specific Permit Conditions Amendments to Chapter 62-620.620 include the following: <ul style="list-style-type: none"> ▪ Identification of facilities subject to whole effluent toxicity testing and specify acute and chronic whole effluent toxicity permit requirements ▪ Modification to text describing monitoring frequency ▪ Updated references to toxicity test methods ▪ Updated acute and chronic whole effluent toxicity tests reporting requirements Effective 04/02/2008.	
FL032108-8	Water SJRWMD	03/21/2008	FAW Notice #5374981	Notice Meeting	Chapter 40C–SJRWMD The Projects and Land Committee announces the following meetings: <ul style="list-style-type: none"> ▪ Northern Recreational Public Meeting to review land management and land acquisition activities in the Northern Region on 04/03/2008 ▪ Business Meeting on 04/04/2008 Both meetings will take place in St. Augustine, Florida.	
FL032108-9	Water SJRWMD	03/21/2008	FAW Notice #5376921	Notice Workshop	Chapter 40C–SJRWMD–Governing Board Workshop Announces an informational workshop regarding Local Government Coordination. The workshop is scheduled for 04/07/4008 at District Headquarters, Palatka, Florida.	
FL032108-10	Water SJRWMD	03/21/2008	FAW Notice #5377018	Notice Meeting	Chapter 40C–SJRWMD Announces a public meeting scheduled for 04/08/2008 at District Headquarters, Palatka, Florida.	
FL032108-11	Water SJRWMD	03/21/2008	FAW Notice #5377406	Notice Meeting	Chapter 40C–SJRWMD Announces a Northeast Florida Connectivity Summit that gives local planners, government officials, landowners, conservation groups and interested citizens the opportunity to develop a regional, coordinated approach to land acquisition, park development, and conservation in the 7-county area of northeast Florida. The meeting will be held 04/28/2008 at University of Florida, Jacksonville, Florida.	
FL032108-12	Water SJRWMD	03/21/2008	FAW Notice #5395254	Notice Meeting	Chapter 40C–SJRWMD The Agricultural Advisory Committee announces a meeting to discuss SJRWMD budget adjustments including FAWN, local water ordinances versus District's rules, development and application of GWRAPPS (water use model), and a discussion of the District's Water Supply Plan. The meeting will be held 04/01/2008 in Daytona Beach, Florida.	
FL032108-13	Water State Revolving Fund	03/21/2008	FAW Notice #5396709	Notice Workshop	Chapter 62–FDEP 552–State Revolving Fund Program for Drinking Water Facilities Announces a workshop to present the FDEP's recommendations and to receive public comment about the intended use of the FY2008 Federal Safe Drinking Water Act appropriations and state matching funds. Funds will be used to finance drinking water preconstruction and construction projects through the SRF program Rule, Chapter 62-552, F.A.C. Workshop topics will include project eligibility, project prioritization, types of assistance available, objectives of the program, program requirements, use of set-aside funds, and proposed project list. The workshop will be held 04/24/2008 at FDEP, Tallahassee, Florida.	

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL032108-14	Water State Revolving Fund	03/21/2008	FAW Notice #5397097	Notice Hearing	Chapter 62–FDEP 503–State Revolving Fund Announces a hearing to receive testimony and public comment and take final action regarding the proposed adoption of the FY 2008 Drinking Water SRF priority list. FDEP may adopt, modify, or deny the proposed actions at the hearing. The hearing will be held 04/24/2008 at FDEP Headquarters, Tallahassee, Florida.	

2.4 Hawaii State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of Hawaii.

2.5 Louisiana State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Louisiana.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
LA032108-1	Air Air Quality–PM	03/20/2008	Louisiana Register AQ288fin	Final Rule	Louisiana Department of Environmental Quality Ambient Air Standards for Particulate Matter (LAC 33:III.701, 703, and 711) This final rule incorporates current primary and secondary Ambient Air Quality Standards for PM-10 and PM-2.5.	
LA032108-2	Air Reporting	03/20/2008	Louisiana Register 0803Pot1	Notice	Louisiana Department of Environmental Quality Annual Emissions Inventory Data Submittals (LAC 33:III.919 and 5107) Final notice that the deadline for submitting calendar year 2007 emission point level data and the Annual Criteria Pollutant Emissions Certification Statement has been extended from 03/31/2008 to 05/15/2008.	
LA032108-3	Enforcement Expedited Penalty Agreement	03/15/2008	Louisiana Register MM004E3	Emergency Rule	Louisiana Department of Environmental Quality Expedited Penalty Agreement (LAC 33:I.801 and 807, and VII.115 and 315) Renews and revises Emergency Rule MM004E2, which was effective 11/15/2007. This revision adds additional solid waste and underground storage tank violations to LAC 33:I.807, clarifies various existing violations, and adjusts existing penalty amounts to be consistent for similar violations. Effective 03/15/2008.	

2.6 Maryland State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of Maryland.

2.7 Mississippi State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of Mississippi.

2.8 New Mexico State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of New Mexico.

2.9 Ohio State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Ohio.

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
OH032108-1	Air Air Quality–Ozone	03/18/2008	News Release	Final Report	Division of Air Pollution Control, OEPA OEPA Submits Final Ozone Plan for Cleveland-Akron to EPA OEPA has submitted to EPA its final report to demonstrate that the Cleveland-Akron area will comply with the federal air quality standard for ozone by 2010, based on updated air quality modeling results. The modeling demonstrates that the Cleveland-Akron area will meet the current ozone standard with existing air quality controls; based on the modeling, no further air quality controls will be needed. Public hearing is 04/02/2008.	
OH032108-2	Air Air Quality–SO ₂	03/21/2008	73 FR 15083	Final Rule	U.S. Environmental Protection Agency Approval and Promulgation of Ohio SO ₂ Air Quality Implementation Plans and Designation of Areas [40 CFR Parts 52 and 81] Final approval for several rules that set limits on SO ₂ emissions. Rescinds the entire Federal Implementation Plan. Also approves several substantive rule revisions and numerous Ohio rules that update various company names and unit identifications. Effective: 04/21/2008.	
OH032108-3	Air SIP–Open Burning	03/21/2008	73 FR 15081	Direct Final Rule	U.S. Environmental Protection Agency Approval and Promulgation of Air Quality Implementation Plans; Ohio [40 CFR Part 52] Final approval of revisions to the Ohio SIP. On 09/07/2006, Ohio requested approval of revisions to its open burning standards. To clarify the open burning rules, Ohio added requirements for specific types of burning that previously were not addressed. The state also added or refined some of the definitions and slightly changed some of the existing rules for clarification. EPA finds that the revisions are consistent with the CAA. Effective 05/20/2008 unless EPA receives adverse comments by 04/21/2008.	

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
OH032108-4	Waste Lead Acid Battery	03/10/2008	Guidance Document	Notice	Division of Solid and Infectious Waste Management, OEPA OEPA Guidance on the New Lead Acid Battery Statute [127 HB 169] A new law in the State of Ohio prohibits the disposal of lead acid batteries in solid or hazardous waste landfills. The law is intended to ensure that all spent lead acid batteries are recycled in Ohio. The law also requires wholesalers and retailers of lead acid batteries to take old batteries for recycling when new ones are bought. Covers batteries used in vehicles, motorcycles, wheelchairs, boats, or other forms of motive power. Effective 04/25/2008.	

2.10 Texas State Regulatory Reviews

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Texas. Citations of the *Texas Register* are linked within the text to the corresponding entry in the version of the *Texas Register* published in HTML file format. Current and historical versions of the *Texas Register* in HTML and Adobe Acrobat (.pdf) file format can be downloaded from the [Texas Register section of the Texas Secretary of State website](#).

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
TX032108-1	Air NESHAP	03/14/2008	33 TexReg 2283	Proposed Rule Withdrawal	Standards of Performance for Hazardous Air Pollutants and for Designated Facilities and Pollutants [30 TAC Chapter 113] Withdraws proposed amendments (32 TexReg 5296 , 08/24/2008) to incorporate by reference amendments made to the NESHAP for Source Categories and to add six NESHAPs that have not previously been incorporated. TCEQ failed to adopt the proposal within 6 months of publication.	
TX032108-2	Radiation Control	03/21/2008	33 TexReg 2489	Proposed Rule	Department of State Health Services Radiation Control Proposes amendments concerning the following: <ul style="list-style-type: none"> ▪ Fees for certificates of registration, radioactive material licenses, emergency planning and implementation, and other regulatory services ▪ Registration of radiation machine use and services ▪ Radiation control regulations for dental radiation machines ▪ Radiation control regulations for radiation machines used in veterinary medicine ▪ Registration and radiation safety requirements for lasers and intense-pulsed light devices Comments due 04/10/2008.	

2.10.1 Flexible Permitting Rules Not Approved

TCEQ [announced](#) that EPA has not approved the flexible permitting rules that previously were submitted as a revision to the Texas SIP. TCEQ received a letter from EPA on 12 March 2008 that outlines concerns and lists rule amendments that would be needed for the required SIP approval.

2.11 Utah State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of Utah.

2.12 Virginia State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Virginia. Citations of the [Virginia Register](#) (Va.R.) are linked to the appropriate volume of the Register, which is published in Adobe Acrobat (.pdf) file format.

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
VA032108-1	Air Emissions Monitoring	03/17/2008	Public Notices for Air Quality	Notice of Availability	Virginia Department of Environmental Quality Air Monitoring Network VDEQ has conducted an annual review of its ambient air monitoring network. Comments due 04/25/2008.	
VA032108-2	Tanks USTs	03/17/2008	24:14 Va.R. 1887	Proposed Rule	Virginia State Water Control Board 9 VAC 25-580, Underground Storage Tanks: Technical Standards and Corrective Action Requirements Proposes to amend the regulation to require training for all owners and operators of USTs. Comments due 05/08/2008.	
VA032108-3	Water Stormwater	03/17/2008	24:14 Va.R. 1887	Proposed Rule	Virginia Soil and Water Conservation Board 4 VAC 50-60, Stormwater Management Regulations Proposes to amend the Virginia Stormwater Management Program permit regulations to establish water quality and quantity criteria for stormwater runoff, criteria for local program administration, processes for approval of local programs, and local program oversight. Comments due 04/16/2008.	